

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GERALD RUHNOW and CONNIE

*

RUHNOW,

*

Plaintiffs,

*

*

VS.

*

NO. 2:05 CV 527-F

*

LANE HEARD TRUCKING, LLC.,

*

et al

*

Defendants.

*

ORAL DEPOSITION OF MICHAEL ADKINS,

a witness produced pursuant to the Federal Rules of
Civil Procedure, in the above-styled and numbered
cause on the 19th day of April, 2006, before Sheila
Hanson, CSR, a Notary Public in and for the State of
Alabama, at the law offices of Mr. Cliff Hastings
with Cervera, Ralph & Reeves, Attorneys at Law, Troy,
Alabama.

* * * * *

EXHIBIT

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1 foot from the dirt to the asphalt of the turning lane
2 part.

3 Q So, how far is that from your
4 motorcycle?

5 A Ten feet -- eight to ten feet. It was
6 sitting in the right lane, but on the line towards
7 the left lane, like, more or less in between both
8 lanes.

9 Q It was perpendicular, as we said earlier,
10 laying on its side?

11 A It was on its side.

12 Q With the tires back towards Troy?

13 A No, sir. The headlight were pointing
14 southbound.

15 Q So, now, the headlight pointed
16 southbound?

17 A Right.

18 Q So it's not on its side pointed towards
19 the center of the highway and the edge of the
20 highway. It's headed towards Dothan?

21 A Right. I could see my wheels and
22 taillights to the left of me.

23 Q Was the taillight on?

24 A Yes, sir.

25 Q It was?

1 that a truck just hit your motorcycle?

2 A I seen right as the truck run over my
3 bike, his right tire jacked up and turned to the
4 left. And immediately he just went at an angle
5 across the road. Halfway across my motorcycle blew
6 up. And then I seen a huge explosion. I thought his
7 truck blew up. And then six or seven small
8 explosions took place.

9 Q Do you have a judgment, Mr. Adkins, as to
10 how fast the truck was traveling at impact between
11 that truck and your motorcycle?

12 MS. HAMMETT: Object to the form.

13 A 65 to 70 miles per hour.

14 Q Did you see it at all before the impact
15 with your motorcycle?

16 A No, sir.

17 Q So you are not in a position to tell me
18 whether or not the truck took any evasive action
19 prior to impact?

20 A When the truck run over my motorcycle,
21 there was no brake lights. There was a screeching --
22 just seen the tire jacked up. He had to go where he
23 went from there.

24 Q Did any vehicles -- strike that. After
25 your impact with the car, and you're sitting in the

1 A Yes, sir.

2 Q It had stopped misting. How would you,
3 Mr. Adkins, describe the visibility out there on the
4 evening when all of this occurred?

5 A Excellent.

6 MR. SPARROW: I think that's all I have right
7 now. Thank you.

8 THE WITNESS: Yes, sir.

9 CROSS EXAMINATION

10 BY MR. FREEMAN:

11 Q Mr. Adkins, I am Mac Freeman. I
12 represent Christy Champion. How long have you been
13 driving a motorcycle?

14 A Since '75.

15 Q '75?

16 A 1975.

17 Q How long had you had this particular
18 bike?

19 A Little over a year.

20 Q Did you buy it new?

21 A Yes, sir.

22 Q And how much does that bike weigh?

23 A 508 pounds.

24 Q Have you ever been in a motorcycle wreck
25 before?

1 Q You said it was about a hundred yards
2 away?

3 A Right. About 450 feet from the top of
4 the hill to where the impact was; so maybe 300
5 feet.

6 Q All right. So you saw her about 300
7 feet -- the first time you were about 300 feet away
8 from the first time you saw her?

9 A Yes, sir.

10 Q You are saying after you saw her, from
11 that point, you are saying it was about another 150
12 feet from where the impact occurred?

13 A Yes, sir.

14 Q And you said that she had stopped in the
15 middle lane?

16 A Yes, sir.

17 Q And you were traveling first in the left
18 lane?

19 A Yes, sir.

20 Q How far away from you was her car when
21 you moved from the left lane to the right lane?

22 A Maybe 50 or 60 feet.

23 Q You were traveling, what did you say?

24 A 50, 55.

25 Q Then you moved in the right lane. She is

1 Q Okay. And when you got up, did you look
2 at the bike?

3 A No, sir.

4 Q You just looked directly at Ms. Champion?

5 A I looked to the side of the grassy hill.
6 And I wanted to get off at road before any traffic
7 came down.

8 Q So you looked back up the road, and you
9 didn't see any traffic?

10 A No, sir.

11 Q There was no vehicles?

12 A No, sir.

13 Q What about vehicles, if you remember, or
14 notice any cars northbound?

15 A I didn't see any at that time.

16 Q And you at least looked up one time
17 before you -- as you were getting off the road? --

18 A Yes, sir.

19 Q -- to talk to Ms. Champion?

20 A Yes, sir.

21 Q You saw no vehicles coming?

22 A Yes, sir. That I could see.

23 Q How far from where you were standing to
24 go the crest of that hill, is back up to the road?

25 A About 450 feet.